

REMARKS

This application has been carefully reviewed in light of the final Office Action dated October 29, 2007. Claims 1, 3 to 5, 11 to 15, 18 to 21, 23, 26 to 28, 34 to 38, 41 to 54 and 56 are in the application, with Claims 1, 23 and 56 being independent. Claims 2, 6, 8, 24, 25, 29, 31 and 55 have been cancelled without prejudice. Claims 1, 3, 5, 11, 13, 14, 23, 26 to 28, 34 to 38, 41 to 48, 50 to 54 and 56 have been amended. Reconsideration and further examination are respectfully requested.

Claim 24 was rejected under 35 U.S.C. § 112, sixth paragraph, and Claims 24 to 29, 31, 34 to 38, 41 to 44 and 50 to 54 were rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Without conceding the correctness of the rejections, and strictly to obtain an earlier allowance, Claims 24, 25, 29 and 31 have been cancelled, and Claims 26 to 28, 34 to 38, 41 to 44 and 50 to 54 have been amended to depend upon Claim 23, which claims a computer-readable medium. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Claims 1, 2, 15, 18, 20, 21, 23 to 25, 38, 41 to 44, 49, 54 and 56 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,687,878 (Eintracht) in view of U.S. Patent No. 5,821,931 (Berquist) in view of U.S. Patent Application Publication No. 2002/0054059 (Schneiderman). Claims 3 to 6, 8, 11, 13, 26 to 29, 31, 34, 36, 45 to 48, 50 to 53 and 55 were rejected under 103(a) over Eintracht in view of Berquist in view of Schneiderman and further in view of U.S. Patent No. 6,597,800 (Murray). Claims 12 and 35 were rejected under 103(a) over Eintracht in view of Berquist in view of Schneiderman in view of Murray and further in view of U.S. Patent No. 6,021,221 (Takaha). Claims 14 and 37 were rejected under 103(a) over Eintracht in view of Berquist in view of

Schneiderman in view of Murray and further in view of U.S. Patent No. 6,616,701 (Doyle). Claims 19 and 42 were rejected under 103(a) over Eintracht in view of Berquist in view of Schneiderman and further in view of U.S. Patent No. 6,976,229 (Balabanovic). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention involves annotating images. More specifically, the present invention involves linking metadata labels with selected subjects within an image by dragging icons associated with the metadata labels onto bounded regions corresponding to the selected subjects. A list of metadata labels is formed by extracting metadata labels from an existing database of metadata labels. Each of the metadata labels is associated with at least one of a plurality of icons. The plurality of icons are displayed, and each of the icons are labeled with one or more of the metadata labels with which the icon was associated.

The image to be annotated is displayed adjacent to the labeled icons, and the metadata labels are generated prior to having knowledge of the content of the image. After the image is displayed, bounded regions are formed within the image, wherein each bounded region substantially surrounds a subject within the image. To annotate the image, one of the labeled icons is selected, dragged to the image, and dropped within the bounded region corresponding to a selected subject within the image. When the selected icon is dragged over the bounded region, the bounded region is changed in order to emphasize the bounded region. Metadata labels associated with the selected icon are linked with a description of the location of the selected subject, and the metadata labels and the description are stored as an annotation of the image.

Applicants submit that the applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 13 and 56, and in particular, is not seen to disclose or to suggest at least the feature of dragging a selected icon to an image, such that at least one of a plurality of bounded regions is changed upon the selected icon being dragged over the bounded region, in order to emphasize the bounded region.

The Office Action concedes that Eintracht, Berquist and Schneiderman fail to disclose “a bounded region under the dragged icon is emphasized”, and alleges that this feature is disclosed in Murray, at column 2, lines 63 to 65, and column 4, lines 27 to 30.

However, the cited portions of Murray are merely seen to disclose “dividing an image into one or more primary homogeneous regions each approximating to an object of interest”, and a rectangular bounding box “which just encloses the segmented pixels forming a primary homogeneous region.” Bounding box data is output to a feature extraction device to identify objects appearing in the image. However, Murray is believed to be silent on dragging and dropping icons onto images, much less a bounded region being changed upon an icon being dragged over the bounded region.

Therefore, Murray is not seen to disclose or suggest dragging a selected icon to an image, such that at least one of a plurality of bounded regions is changed upon the selected icon being dragged over the bounded region, in order to emphasize the bounded region.

Takaha, Doyle, and Balabanovic are not seen to remedy the foregoing deficiencies of Eintracht, Berquist, Schneiderman, and Murray.

In view of the foregoing amendments and remarks, independent Claims 1, 23 and 56, as well as the claims dependent therefrom, are believed to be in condition for allowance.

Regarding a formal matter, page 22 of the Office Action alleges that the Information Disclosure Statement filed March 13, 2006 fails to comply with 37 CFR 1.98(a)(1) because the European Search Report is not listed on the Form PTO-1449. Accordingly, a Supplemental Information Disclosure Statement listing the European Search Report is submitted herewith, and consideration of the document cited therein is respectfully requested.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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